

Application/Control Number : 10/561,905
Art Unit: 3765
June 26, 2008
Page 3

Marked-up version

Proximate to the lateral ends of the tabs 1a-1d, knitting is formed with a selection of the needles that must form these regions, with the needle inactive in a one-to-one configuration or with the needle in the one-to-one tuck-stitch position in order to obtain a higher knitting thickness at said regions. More particularly, in the selection with the needle in the one-to-one inactive configuration ~~tuck-stitch~~ position, considering a set of needles located at the ends of a corresponding sector, alternately, during the rotation in one direction of the needle cylinder, a needle of said set is deactivated and passes, with its hook, below the sinkers of the machine, while the contiguous needle is moved so as to knit at the feed being considered and forms a dropped stitch; during the rotation of the needle cylinder in the opposite direction, the needle, previously excluded from knitting, is moved so as to knit, while the contiguous needle is moved so as to be inactive.

Application/Control Number : 10/561,905
Art Unit: 3765
June 26, 2008
Page 7

RECEIVED
CENTRAL FAX CENTER
JUN 26 2008

Remarks

As regards the amendment to the specification, it is submitted that at page 5, lines 14-15, of the specification as originally filed, the phrase "one-to-one tuck-stitch position" has been used instead of the correct phrase "one-to-one inactive configuration".

With the submitted amendment, the phrase "one-to-one tuck-stitch position" has been changed with the correct phrase "one-to-one inactive configuration".

Support for this change is given at page 5, lines 10-28, of the specification as originally filed. More precisely, at page 5, lines 10-14, of the specification as originally filed, it is stated that "*proximate to the lateral ends of the tabs 1a-1d, knitting is formed with a selection of the needles that must form these regions, with the needle inactive in a one-to-one configuration or with the needle in the one-to-one tuck-stitch position*". The following lines 14-22, of page 5 of the specification as originally filed, clearly and unambiguously disclose the "one-to-one inactive configuration", referring to the "deactivation" or "exclusion" from knitting of a needle, and not the "one-to-one tuck-stitch position". The latter, in fact, is disclosed in the subsequent paragraph that begins at line 23 of page 5 of the specification as originally filed.

In light of the above, it is submitted that the proposed amendment is clearly and unambiguously derivable from the specification as originally filed.

Claims 12-21 remain in this application.

Claims 1-11 were already canceled without prejudice.

Claim 22 has been canceled without prejudice, having its subject-matter being incorporated into claim 12 with the amendments hereby submitted.

Reconsideration and reexamination of the application is respectfully requested.

Claims 12-15 and 17-20 were rejected under 35 U.S.C. 102(b) as being anticipated by Luchi (US 3650126). Claims 16, 21 and 22 were rejected under 35 USC 103(a) as being unpatentable over Luchi (US 3650126).

Application/Control Number : 10/561,905
Art Unit: 3763
June 26, 2008
Page 8

According to the Examiner "it would have been obvious at the time the invention was made to provide a second pouch portion on the knitted garment in order to maintain the garment for a specific end use".

Applicant respectfully disagrees with the Examiner's opinion for the following reasons.

Luchi (US 3650126) discloses a process for manufacturing a knitted article, such as for example a stocking, with a circular knitting machine, wherein a single pouch region is knitted by the needles belonging to a sector β of the needle cylinder and which are supplied with the yarns of at least two different yarn feeds (AF1 and AF2): the needles of a first arc of the needles of this sector are supplied with the yarn of one of these two yarn feeds and the needles of a second arc of this sector are supplied with the yarn of the other of these two yarn feeds, the first arc and the second arc overlying in a middle zone the pouch. The needles of this sector β are moved to knit at said at least two yarn feeds (AF1, AF2) with a reciprocating rotary motion of the needle cylinder so as to form the pouch region. See col. 2, lines 6-26 and lines 58-64, col. 3, lines 25-43, and Figures 1-8 of Luchi. See also the embodiments shown in Figure 9 and Figure 13 and respectively disclosed at col. 4, lines 9-40, and col. 4, lines 41-56, of D1, wherein a single pouch is formed with more than two yarn feeds.

It is thus clear that Luchi discloses the formation of one single pouch at a time with an alternate rotary motion of the needle cylinder and with two or more yarn feeds. Luchi, does not disclose "the simultaneous production of at least two-pouch regions in which needles belonging to at least two sectors of the needle cylinder that are angularly spaced from each other around the axis of the needle cylinder are moved so as to knit at a different feed for each one of said sectors and the needle cylinder is actuated with an alternating rotary motion about its own axis with an oscillation extent that produces the transit, in front of the corresponding feed, of all the needles of the correlated sector that are moved so as to knit in order to form, with the needles that belong to said at least two sectors and are moved so as to knit at the corresponding feeds, rows of knitting in

Application/Control Number : 10/561,905
Art Unit: 3765
June 26, 2008
Page 9

excess with respect to the rows of knitting formed, during said step for forming the pouch-like regions, by the needles that are contiguous to said at least two sectors", as specified in the characterized part of new claim 1.

According to the present invention, two pouch-regions are formed simultaneously on the same course of stitches. On the contrary, Luchi (US 3650126) discloses the formation of only a single pouch region at a time.

Moreover, according to the present invention each pouch region is formed by a respective sector of needles and by a different correspondent yarn feed. On the contrary, according to Luchi (US 3650126), for the formation of a single pouch region two or more yarn feeds are needed for the needles of the first and second arcs of the sector β involved in the formation of this single pouch.

Based on the above differences, the problem to be solved can be regarded as how to manufacture a knitted article for forming items of clothing, such as body suits, undershirts, bras and the like with two or more pouch regions with a circular knitting machine.

First of all it is noted that Luchi (US 3650126) is directed to the formation of the heel pouch region of a stocking and it is not confronted with the problem of how to manufacture knitted articles such as body suits, undershirts or bras.

In Luchi (US 3650126) there is no suggestion that two or more pouch regions can be formed simultaneously (at the same level/course of stitches) by respective two or more sectors of needles of the needle cylinder of a circular knitting machine which are angularly spaced from each other. Moreover, in Luchi (US 3650126) there is no suggestion to provide a different yarn feed for each one of said sectors of needles. In fact, discloses a method for manufacturing a knitted article provided with a single pouch-region that is formed at a time by the needles of a sector of the needle cylinder and by two or more corresponding yarn feeds.

Therefore, the skilled person starting from Luchi (US 3650126) and trying to solve the above identified problem of how to produce a knitted article with two or more

Application/Control Number : 10/561,905
Art Unit: 3765
June 26, 2008
Page 10

pouch regions would not be hinted at the claimed solution of simultaneously producing at least two-pouch regions with the needles belonging to at least two sectors of the needle cylinder that are angularly spaced from each other around the axis of the needle cylinder and are moved so as to knit at a different feed for each one of said sectors, the needle cylinder being actuated with an alternating rotary motion about its own axis with an oscillation extent that produces the transit, in front of the corresponding feed, of all the needles of the correlated sector that are moved in the knitting position in order to form, with the needles that belong to said at least two sectors and are moved so as to knit at the corresponding feeds, rows of knitting in excess with respect to the rows of knitting formed by the needles that are contiguous to said at least two sectors.

On the contrary, the skilled person, starting from Luchi (US 3650126) and trying to solve the above identified problem, would have repeated the process for the formation of a single pouch region as disclosed by Luchi (US 3650126) a number of times corresponding to the number of pouch regions needed.

That is to say that, after the completion of the first pouch region, the skilled person, for the formation of the second pouch region, would have repeated the same process used for the formation of this first pouch region using the same sector of needles and the same two or more yarn feeds, with the need of cutting the thread or threads used for the manufacture of the two or more pouch regions and with a duplication or multiplication of the manufacturing time.

The present invention, on the contrary, as defined by the new claim 1 allows to produce a knitted article with two or more pouch regions without the need to perform a thread cutting and with a high productivity (see also page 2, lines 10-15, page 6, lines 28-30, and page 7, lines 1-3, of the specification as originally filed).

In view of the above, the Applicant respectfully believes that the newly claimed invention is novel and involves an inventive step over the prior art document US A 3,650,126 cited by the Examiner.

26. JUN. 2008 16:07

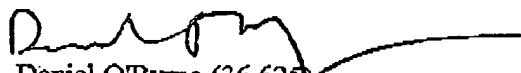
NO. 586 P. 11

Application/Control Number : 10/561,905
Art Unit: 3765
June 26, 2008
Page 11

RECEIVED
CENTRAL FAX CENTER
JUN 26 2008

Therefore, applicants would respectfully solicit allowance of the pending claims.

Respectfully submitted,


Daniel O'Byrne (36,625)
Agent for the Applicants

Date: June 26, 2008
Address: Via Meravigli 16, 20123 MILAN-ITALY
Telephone: (from USA) (011)(39)(02)8590-7777
Telefax: (from USA)(011)(39)(02)863-860